

**Remarks/Arguments:**

The Examiner has rejected claim 4 under 35 U.S.C. § 112, second paragraph. Applicant has amended the claims to include the subject matter of claim 2 into claim 1 and has made claim 4 dependent on claim 1. With this amendment it is respectfully submitted that there is no antecedent problem remaining in claim 4, which is now made dependent on claim 1.

In view of the amendments it is respectfully submitted that the rejection of claim 4 under 35 U.S.C. § 112 is not well taken and should be withdrawn.

The Examiner has rejected claims 1-8 under 35 U.S.C. § 102(b) over Witt, Jr. U.S. Patent 5,279,450.

It is respectfully submitted that applicant has amended claim 1 to particularly point out and define features of the invention that are neither taught nor suggested by the prior art, namely:

"... first means disposed proximate a bottom surface of said reservoir, said first means defining a closed space at a location adjacent the bottom of said reservoir to trap a quantity of fluid and prevent said quantity of fluid from spreading along a vertical wall of said reservoir one said reservoir is moved from a vertical to a horizontal position by user; and,

second means to direct and position said siphon tube to a location with its inlet below said first means and adjacent said bottom surface of said reservoir when said siphon tube is inserted into said reservoir and when said reservoir is in a vertical or horizontal position or a position in between vertical and horizontal."

The foregoing defines applicants invention which resides in the provision of a spray bottle wherein in a discrete reservoir is formed in a bottom portion of the bottle so that when the bottle is moved from a horizontal to a vertical position the fluid remaining in the reservoir will not run along a vertical wall of the bottle and the away from the bottom of the siphon tube. This is clearly the problem with the bottles of the prior art and in particular the bottle of Witt, Jr. in the '450 Patent. Although the bottle of the '450 Patent can trap fluid in the reservoir, however, if the bottle is moved to a horizontal position and tilted slightly downwardly as one would do when trying to clean a horizontal surface, the fluid would run along the front vertical wall of the bottle away from the entry end of the siphon tube. This is a problem that has been clearly solved by the device of applicant.

In view of the foregoing it is respectfully submitted that the rejection of claims 1-8 under 35 U.S.C. § 102(b) is not well taken and should be withdrawn.

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Reply to Office Action of February 1, 2005

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In view of the foregoing amendments and arguments it is respectfully submitted that the claims remaining in the application are allowable and a notice to that effect is earnestly solicited.

Respectfully submitted,

  
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James C. Simmons, Reg. No. 24,842  
Attorney for Applicant

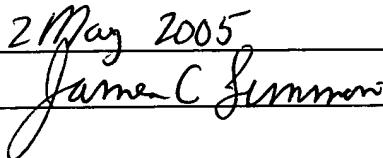
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P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

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James C. Simmons

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